

1 ***Council Meeting***
2 ***Minutes***
3 ***December 4, 2006***
4

5 *A Regular Meeting of the Mayor and Council of the Borough of Leonia, Bergen County,*
6 *New Jersey, was held this evening in the Borough Hall Annex, commencing at 7:50 pm*
7

8 Mayor Cherchi called the meeting to order.
9

10 Mayor Cherchi asked everyone to stand while Councilman President Puzzo led in the
11 Pledge of Allegiance.
12

13 ***Council Present:*** *Mayor Cherchi, Councilpersons Hawkins, Heveran, Mitrani*
14 *Raucci, Ryan, and Puzzo*
15

16 ***Council Absent:*** *none*
17

18 ***Also Present:*** *Council Elect Raspa-Gore, and Choi, Fran Lehmann, Borough*
19 *Clerk, Brian Giblin, Borough Attorney,*
20

21 **OPEN MEETING STATEMENT**
22

23 Conditions of the Open Meeting Act have been met by Notice placed on the Bulletin
24 Board at Borough Hall and notices sent to the Official Newspaper.
25

26 Mayor Cherchi pointed out the Fire Exit.
27

28 Mayor Cherchi announced that the Labor Attorney will not be present at this evenings
29 meeting.
30

31 **APPROVAL OF MINUTES**
32

33 Closed Session Minutes – September 11, 2006 – Minutes held to Closed Session
34

35 **PUBLIC COMMENTS**
36

37 Jeanne Churchill – 145 Oakdene Avenue – Mrs. Churchill read a letter to the Governing
38 Body expressing her concerns regarding the changes and the direction as how she
39 perceives where Leonia is going. Mrs. Churchill expressed concern about the same types
40 of businesses. Council President Puzzo agreed that there is a need for change. Council
41 President Puzzo noted that most of the establishments have small square footage and this
42 poses a problem in attracting other types of businesses into Leonia.
43
44

45 **RESOLUTIONS**
46

Councilwoman Mitrani asked to have 06-279 held for discussion

Resolutions 06-276-278 and 06-280 –A motion was made by Councilwoman Heveran, seconded by Council President Puzzo to approve the Resolutions. Roll call vote; Councilpersons Hawkins, Heveran, Mitrani, Raucci, Ryan and Puzzo voted yes. Resolutions Approved.

Resolution 06-279 – Councilwoman Mitrani asked to have the discussion on the carpet for the Annex reopened. Councilwoman Mitrani asked for another 10 days to look for another carpet. After a lengthy discussion the Council agreed to stay with the carpet that was already approved.

Mayor Cherchi brought to the attention of the Governing Body that Mr. Kaufman who is representing 604 Main Street has sent in an OPRA Request for the minutes of the Historic Preservation Commission regarding 604 Main Street. Mayor Cherchi feels the Historic Preservation Commission needs to have the Borough Attorney represent them. Councilman Hawkins felt Council already authorized the Borough Attorney to represent them when he was authorized to represent the Borough against 604 Main Street. Mayor Cherchi inquired about the demolition permit request that has been submitted. Mr. Giblin will review the request with the Construction Official.

INTRODUCTION OF ORDINANCES:

Introduction of Ordinance 19-06 entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 181-13 TITLED “STANDING MOTOR VEHICLES” AND REGULATING THE IDLING OF MOTOR VEHICLES WITHIN THE BOROUGH OF LEONIA.

Borough Clerk read the Ordinance by titled

A motion was made by Councilperson Hawkins seconded by Councilperson Puzzo to adopt on first reading Ordinance 19-06.

ROLL CALL Councilperson Hawkins, Heveran, Mitrani, Raucci, Ryan, Puzzo voted yes Ordinance 19-09introduced.

Introduction of Ordinance 20-06 entitled:

AN ORDINANCE TO AMEND ORDINANCE 11-06 FIX OR REPORT SALARIES OR WAGE RANGE OF CERTAIN OFFICERS, EMPLOYEES AND PUBLIC SERVANTS OF THE BOROUGH OF LEONIA, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY

Borough Clerk read the Ordinance by titled

A motion was made by Councilperson Heveran seconded by Councilperson Puzzo to adopt on first reading Ordinance 20-06.

93 **ROLL CALL** Councilperson Hawkins, Heveran, Mitrani, Raucci, Ryan, Puzzo
94 Ordinance 20-06 Introduced
95

96 **UNFINISHED BUSINESS**

97 a) Amendment to Sidewalk Ordinance.
98

99 b) South of Route 4
100

101 c) Chain of Command
102

103 **NEW BUSINESS**

104 a)- Mid-Bergen Regional Health – Councilwoman Heveran spoke about the memo
105 from Mr. Yanovich who apologized for not being able to attend due to an illness
106 in the family. Councilwoman Heveran would like to have this rescheduled.
107

108 b.) Mayor Cherchi Posting on LTA Website - Council President Puzzo stated that it is
109 very disturbing that personnel information and personnel performance are being
110 posted by members of this Governing Body. This is a practice that the Governing
111 Body should not be participating in. Statements have been made during Council
112 Meetings about situations like this. This could lead to lawsuits. The members of
113 the Governing Body who have done this know who they are. Council President
114 Puzzo asked the Borough Attorney if the postings on the LTA have crossed the
115 line. Council President Puzzo stated that he has forwarded the postings to the
116 Borough Attorney. Mr. Giblin expressed concern when a member of the Governing
117 Body makes a comment about the performance of an employee of the Borough
118 outside of the regular channels which would include that it be done in Closed
119 Session and remain confidential. Especially if it could result in adverse action
120 against the employee that could result in the employee losing his or her job. Mayor
121 Cherchi pointed out that the email in question was with regard to a letter received
122 and discussed in open session where he was personally attacked. Mayor Cherchi
123 felt that he had a right to answer. Mr. Giblin stated that he had his rights under the
124 first amendment to say what he wanted to say. Mr. Giblin stated he was concerned
125 about liability and the difference is that when an employee or anyone else makes a
126 comment about a public official they do not have control over that person, but
127 when a public official makes comments about an employee outside the proper
128 procedure than Mr. Giblin stated he would be concerned. Council President Puzzo
129 stated he passed out a resolution that he asked Mr. Giblin to prepare. Council
130 President Puzzo stated he would like to vote on this resolution at this meeting.
131 Council President Puzzo made a motion to approve Resolution 06-281, seconded
132 by Councilman Raucci. Councilwoman Mitrani would like to discuss the
133 Resolution in Closed Session. Councilwoman Heveran asked Mr. Giblin if this is a
134 Closed Session item? Mr. Giblin stated it is not about an employee but a
135 Councilperson and it would not become a Closed Session item. Councilwoman
136 Mitrani does not feel that what was discussed on the Website is a violation. A
137 discussion was held regarding the postings by the Governing Body on the LTA

Website. Roll call vote; Councilperson Hawkins, Heveran, Raucci, Ryan and Puzzo voted yes, Councilwoman Mitrani Abstained. Resolution approved.

- c.) Requesting Permission for Sculpture on Tip of Triangle and in Front of Leonia Market – Councilwoman Mitrani explained why she asked to have this put on the agenda. Councilwoman Mitrani asked if in theory permission could be given to put sculptures at these particular sites so that they could look for sculptures to go there. Councilman Hawkins noted that the site in front of the Market, the County has already established the types of plants that are going in those planters. The area may not be available if the County has planted there already. Councilman Hawkins suggested by the Library. The Council discussed various sites. Councilman Hawkins suggested the Resolution state selected public sites. Councilman Hawkins feels the sites in front of Leonia market and the bank are too close to the street.
- d.) Cell Phones for Council Members – Councilman Raucci explained that currently, there are circumstances that are making the cell phone bills of Councilpersons rise significantly. Mayor Cherchi felt that he could put in for reimbursement. Council President Puzzo suggested that he submit a bill for the number of minutes he went over times the rate.
- e.) Illegal Stop Sign Brook Terrace and Longview – Councilwoman Mitrani questioned a stop sign that appeared on her street. The Borough Clerk was instructed to send a memo to the DPW Superintendent to have the sign removed. Councilman Hawkins would like a memo sent to the Traffic Officer first than have the sign removed if necessary.

CORRESPONDENCE

Councilwoman Heveran asked about the letters from Mr. Drexel.

Councilwoman Heveran asked to have the American Legion on the next agenda.

Councilwoman Mitrani asked about a letter from Teaneck regarding sharing a DPW facility. Council President Puzzo reported he is working on this with the Administrator from Teaneck.

Councilwoman Mitrani asked about a letter from the White Collar Union to start negotiations. Councilwoman Mitrani reminded everyone of the arbitration ruling regarding health benefits.

Councilman Hawkins would like the Governing Body to consider the underage drinking ordinance that Assemblywoman Huttel is asking municipalities to adopt.

Councilman Raucci commended the DPW for the decorations. The power was done in time for the tree lighting. PSE&G the contractor, and especially Ron Chace and Son who dug the trench and donated those services in the name of the

184 merchants of Leonia did an outstanding job. Councilman Hawkins also thanked
185 Gretchen Studier for job in decorating the Borough for the Holidays. Council
186 President Puzzo commended our advocate at PSE&G who kept on top of PSE&G
187 to get the project completed.

188
189 Councilwoman Heveran reported that she has been in touch with the Turnpike
190 Authority regarding the lights on exit 71 they are all now working.

191

192

193 **COMMENTS FROM THE PUBLIC**

194

195 No one spoke.

196

197 **CLOSED SESSION (RESOLUTION T)**

198

199 The following items were discussed in Closed Session; Closed Session Minutes of
200 September 11, 2006 and Discussion on Perspective Administrator

201

202 A motion to go into closed was made by Councilwoman Heveran, seconded by
203 Councilman Raucci. All in favor none opposed.

204

205 A motion was made by Council President Puzzo to re-open the Public Meeting for the
206 purpose of adopting the Closed Session Minutes of September 11, 2006, seconded by
207 Councilman Raucci all in favor none opposed.

208

209 Council President Puzzo made a motion to approve as amended the Closed Session
210 Minutes of September 11, 2006, seconded by Councilwoman Heveran. All in favor none
211 opposed.

212

213 Council President Puzzo made a motion to adjourn, seconded by Councilwoman
214 Heveran. All in favor; none opposed.

215

216 As there was no further business before the Governing Body, the meeting was adjourned
217 at 9:15pm

218

219 Respectfully submitted,

220

221

222

223 Fran Lehmann

224 Borough Clerk